

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : John A. Salon, et al.
U.S. Serial No. : Not Yet Known
Filed : Herewith
For : DNA ENCODING A HUMAN MELANIN
CONCENTRATING HORMONE RECEPTOR (MCH1)
AND USES THEREOF

1185 Ave of the Americas
New York, New York 10036
July 5, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

PRELIMINARY AMENDMENT AND INFORMATION DISCLOSURE STATEMENT

Please amend the subject application as follows:

In the Claims:

Please cancel claims 1-41, 43-121, and 125-197 without prejudice to applicants' right to pursue the subject matter of this claim in a future continuation or divisional application.

REMARKS

Claims 1-207 were pending in the subject application. By this Preliminary Amendment, applicants have canceled claims 1-41, 43-121, and 125-197. Accordingly, upon entry of this Preliminary Amendment, claims 42, 122-124, and 198-207 will be pending and under examination.

John A. Salon, et al.
Serial No.: Not Yet Known
Filed: Herewith
Page 2

Information Disclosure Statement

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the following reference which is listed on the attached Form PTO-1449 (**EXHIBIT 1**) and attached hereto as **EXHIBIT 2**:

1. Rudiger, et al., *Journal of Biomol. Screening* **6(1)**: 29-37 (2001) (**EXHIBIT 2**).

The following references which are listed on the attached Form PTO-1449 (**EXHIBIT 1**) were cited in connection with the prosecution of U.S. Serial Number 09/610,635 from which the subject application claims priority under 35 U.S.C. §120. According to 37 C.F.R. §1.98(d), copies of patents or publications that were previously cited by, or submitted to, the Office in connection with such prior applications need not accompany the Information Disclosure Statement. Accordingly, copies of the following references are not attached to this Information Disclosure Statement.

1. U.S. Patent No. 6,033,872, issued March 7, 2000;
2. U.S. Patent No. 6,008,012, issued December 28, 1999;
3. PCT International Application No. WO 01/05947, published January 25, 2001;
4. PCT International Application No. WO 99/28492 (Ames, R.S., et al.) June 10, 1999;
5. PCT International Application No. WO 96/18651 (Bergsma, D.J. and Ellis, C.E.) June 20, 1996;

John A. Salon, et al.
U.S. Serial No.: Not Yet Known
Filed: Herewith
Page 3

6. PCT International Application No. WO 96/39162 (Maratos-Flier, E.) December 12, 1996;
7. European Patent Application No. EP 0 848 060, published June 17, 1998;
8. Expressed Sequence Tags Database Accession No. F07228 (first published February 15, 1995);
9. Expressed Sequence Tags Database Accession No. HSU71092 (published December 21, 1996);
10. Expressed Sequence Tags Database Accession No. AF008650 (first published October 1, 1997);
11. Expressed Sequence Tags Database Accession No. Z86090 (published February 22, 1997);
12. Expressed Sequence Tags Database Accession No. T30384 (September 13, 1996);
13. Expressed Sequence Tags Database Accession No. V28115 (published September 25, 1998);
14. Auffray, C., et al., "IMAGE: intégration au niveau moléculaire de l'analyse du génome humain et de son expression", *C.R. Acad. Sci. Paris, Sci. Vie* (1995) **318**: 263-272 (includes abridged English text);
15. Chambers, et al., "Melanin-concentrating hormone is the cognate ligand for the orphan G-protein-coupled receptor SLC-1", *Nature* **400**: 261-265 (July 15, 1999);

John A. Salon, et al.
U.S. Serial No.: Not Yet Known
Filed: Herewith
Page 4

16. Kolakowski, L.F., et al., "Characterization of a human gene related to genes encoding somatostatin receptors", FEBS Letters (1996) 398: 253-258;
17. Lakaye, B., et al., "Cloning of the rat brain cDNA encoding for the SLC-1 G protein-coupled receptor reveals the presence of an intron in the gene", *Biochimica et Biophysica Acta* (February 4, 1998) 1401(2): 216-220;
18. Saito, et al., "Molecular characterization of the melanin-concentrating-hormone receptor", *Nature* 400: 265-268 (July 15, 1999); and
19. Shimada, M., et al., "Mice lacking melanin-concentrating hormone are hypophagic and lean", *Nature* 396: 670-674 (December 17, 1998).

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

[illegible]

John White

John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400